

# Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42<sup>nd</sup> Street, Suite 4510  
New York, New York 10165

Telephone: (212) 317-1200  
Facsimile: (212) 317-1620

May 24, 2021

**Via ECF**

Hon. Laura Taylor Swain  
United States Chief District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Aurelio Flores Moreno, et al. v. 153 J and J Food Market Corp., et al  
Index No.: 17-cv-09439-LTS-KNF

Your Honor:

My office represents Plaintiff in the above-captioned matter. I write, jointly with Defendants, and in response to the Court's correspondence dated May 21, 2021, to inform the Court that the parties have reached a settlement in principle with respect to their claims and defenses, subject to the execution of a mutually acceptable written settlement agreement and Court approval of same. Accordingly, the parties respectfully request an adjournment of the final pre-trial conference and to submit a settlement agreement for the Court's review by June 25, 2021.

The parties thank the Court for its time and consideration of this matter.

Respectfully submitted,

/s  
William K. Oates, Esq.  
Michael Faillace & Associates, P.C.  
*Attorneys for Plaintiffs*

cc: Howard Benjamin, Esq. (via ECF)  
*Attorney for Defendants*

Application granted. The final pretrial conference currently scheduled for June 11, 2021, at 2:00 p.m., is adjourned sine die. The parties shall submit their settlement agreement for the Court's review by June 25, 2021. DE#99 resolved.

SO ORDERED.

Dated: May 24, 2021

/s/ Laura Taylor Swain, Chief U.S.D.J.